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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/577,418

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EXAMINER

ALSIP, MICHAEL

ART UNIT

PAPER NUMBER

2186

NOTIFICATION DATE

DELIVERY MODE

09/09/2011

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/577,418	<b>Applicant(s)</b> MAEDA ET AL.	
	<b>Examiner</b> MICHAEL ALSIP	<b>Art Unit</b> 2186	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2011.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 5) ☒ Claim(s) 25,27,28,30-40 and 44-52 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 25,27,28,30-40 and 44-52 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____.                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 25, 27-28, 30-40 and 44-52** rejected under 35 U.S.C. 102(b) as being anticipated by Ouchi et al. (JP 2000181784).

3. Consider **claim 47**, Ouchi et al. discloses an information recording medium for storing data managed by a file system, comprising: a first receiver operable to receive a position setting command including an address (¶'s [0008]-[0012], [0042]-[0047], where generation and assignment of management and user data address ranges and the initialization of the address mapping table are considered the position setting command including an address. The address in the phrase "including an address" is considered to be any address of the assigned addresses in the address mapping table. Further, areas are also assigned to a memory block size of one or four sectors.); a storage operable to store the address included in the position setting command received by the first receiver (¶'s [0008]-[0012], [0042]-[0047], where the address mapping table is stored in a memory.); a second receiver operable to receive a write command including an address, and write data (¶ [0038]); a first recording area in which file system management information is managed (¶'s [0008]-[0012]); a second recording area in which file data is managed (¶'s [0008]-[0012]); and a selector operable to select the first

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or second recording area as an access area according to the address stored in the storage and the address included in the write command received by the second receiver (¶ [0060]).

4. Consider **claim 50**, Ouchi et al. discloses a control method, of an information recording medium, for storing data managed by a file system, comprising: receiving a position setting command including an address (¶'s [0008]-[0012], [0042]-[0047], where generation and assignment of management and user data address ranges and the initialization of the address mapping table are considered the position setting command including an address. Further areas are also assigned to a memory block size of one and four sectors.); storing the address included in the received position setting command in a storage (¶'s [0008]-[0012], [0042]-[0047], where the address mapping table is stored in a memory.); receiving a write command including an address, and write data (¶ [0038]); managing file system management information in a first recording area (¶'s [0008]-[0012]); managing file data in a second recording area (¶'s [0008]-[0012]); and selecting the first or second recording area as an access area, according to the address stored in the storage and the address included in the received write command (¶ [0060]).

5. Consider **claim 48**, as applied to **claim 47** above, Ouchi et al. discloses wherein the selector selects the first recording area as an access area when the address stored in the storage matches the address included in the received write command, and selects the second recording area as an access area when the address stored in the

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storage does not match the address included in the received write command (¶ [0060], where the access area selected is decided based upon memory address comparisons).

6. Consider **claim 49**, as applied to **claim 47** above, Ouchi et al. discloses wherein the file system management information is smaller in data size than the file data ([0012]).

7. Consider **claim 51**, as applied to **claim 50** above, Ouchi et al. discloses receiving information about a data type together with the write command, and judging the data type on a basis of the received information about data type (¶'s [0009]-[0012], [0028] and [0090]-[0099], Ouchi assigns different data types a size value based upon the expected behavior of that type of data and thus the size value is specifying a data type and this size value is part of an instruction code transmitted from the post when writing data and thus is considered part of the write command.).

8. Consider **claim 52**, as applied to **claim 47** above, Ouchi et al. discloses wherein data type is specified by an argument of the write command, and the selector judges a data type on a basis of a value of the argument (¶'s [0009]-[0012], [0028] and [0090]-[0099], Ouchi assigns different data types a size value based upon the expected behavior of that type of data and thus the size value is specifying a data type and this size value is part of an instruction code transmitted from the post when writing data and thus is considered part of the write command.).

9. Consider **claim 25**, as applied to **claim 47** above, Ouchi et al. discloses wherein the first recording area stores file system management information necessary for

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managing a file in the file system, and the second recording area stores entity data of the file managed by the file system (¶'s [0012] and [0086]-[0088]).

10. Consider **claim 27**, as applied to **claim 47** above, Ouchi et al. discloses further comprising an area for storing the address management information for managing correspondence of physical address and logical address of the first and second **recording** areas (¶'s [0009]-[0012], [0042] and [0048]).

11. Consider **claim 28**, as applied to **claim 27** above, Ouchi et al. discloses wherein the address management information includes information about write position of data (¶'s [0009]-[0012], [0042] and [0048]).

12. Consider **claim 30**, as applied to **claim 47** above, Ouchi et al. discloses wherein the first recording area and second recording area are provided on mutually different storage devices (¶ [0029], [0042] and [0107]).

13. Consider **claim 31**, as applied to **claim 30** above, Ouchi et al. discloses wherein the different storage devices have different characteristics of rewrite life (¶'s [0007], [0013]-[0015] and [0107]).

14. Consider **claim 32**, as applied to **claim 47** above, Ouchi et al. discloses wherein the **selector** judges data type on the basis of the write position of the data (¶'s [0044], [0051]-[0060]).

15. Consider **claim 33**, as applied to **claim 32** above, Ouchi et al. discloses wherein the **first receiver** receives from outside information about position or size of the file system management information which is necessary for managing a file in the file system, the information recording medium further includes a **File system** (FS)

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management information register operable to hold the information about position or size of the received file system management information, and the **selector** judges data type on a basis of a value of the FS management information register when receiving the write command (¶'s [0025], [0028]-[0029], [0038] and [0090]-[0099]).

16. Consider **claim 34**, as applied to **claim 33** above, Ouchi et al. discloses the information recording medium according to claim 33, which, when receiving the information about position of the file system management information, judges whether the received **information about** position of the file system management information is included in the second recording area, and if included, moves data of predetermined size including the received **information about** position from the second recording area to the first recording area (¶'s [0015], [0055]-[0063], where if data is to be written to a sector in memory chip 14 of the second storage area, data present in the cluster is moved to the buffer (which is part of both the first and second storage area), old data eliminated and all the data is moved back to the memory chip 14).

17. Consider **claim 35**, as applied to **claim 34** above, Ouchi et al. discloses wherein, when the first and second recording areas are provided on nonvolatile storage devices having predetermined data erase units, a predetermined size is **the** same as a the size of a larger data erase unit (¶'s [0015], [0055]-[0063], where the size of the data evacuated to the buffer is the same size of the cluster stored on memory chip 14).

18. Consider **claim 36**, as applied to **claim 33** above, Ouchi et al. discloses wherein when receiving a write command, the **selector** judges the data type by comparing a

value of **the** FS management **information** register with the address specified by the write command (¶'s [0057]-[0060]).

19. Consider **claim 37**, as applied to **claim 47** above, Ouchi et al. discloses wherein the first and second storage areas are provided on a same storage device (¶ [0029], [0042] and [0107]).

20. Consider **claim 38**, as applied to **claim 47** above, Ouchi et al. discloses comprising: a slot for loading the information recording medium; an access **controller** operable to control writing and reading of data in the information recording medium loaded in the slot; and a file system **controller** operable to control the file system established on the information recording medium loaded in the slot, and transmit data and information about a data type to the information recording medium, when writing to the information recording medium (¶'s [0033], [0038]-[0041] and [0106]-[0107]).

21. Consider **claim 39**, as applied to **claim 38** above, Ouchi et al. discloses wherein the file system **controller** specifies, as the data type, a type indicating data entity or file system management information ([0009], [0012], [0082] and [0088]).

22. Consider **claim 40**, as applied to **claim 33** above, Ouchi et al. discloses comprising: a FS management information **noticer** operable to inform the information recording medium of information about position and size of file system management information, wherein the FS management information **noticer** informs the information recording medium of information about position and size of file system management information, prior to writing of the file system management information (¶'s [0025], [0028]-[0029] and [0090]-[0099]).



23. Consider **claim 44**, as applied to **claim 51** above, Ouchi et al. discloses wherein the data type is judged on a basis of a write position of the data (¶'s [0044], [0051]-[0060]).

24. Consider **claim 45**, as applied to **claim 47** above, Ouchi et al. discloses comprising transmitting information about data type of writing data to the information recording medium together with a write command (¶'s [0038]-[0040] and [0051]-[0053]).

25. Consider **claim 46**, as applied to **claim 33** above, Ouchi et al. discloses comprising: transmitting information about position and size of file system management information to the information recording medium to set an area for storing the file system management information in the information recording medium; and transmitting a write command together with data and write address to the information recording medium to write the data (¶'s [0025], [0028]-[0029], [0038] and [0090]-[0099]).

### ***Response to Arguments***

26. Applicant's arguments with respect to **claims 47 and 50** have been considered but are moot in view of the new ground(s) of rejection presented for these newly introduced claims.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL ALSIP whose telephone number is (571)270-

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1182. The examiner can normally be reached on Monday through Thursday 9:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim can be reached on 571-272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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September 6, 2011